

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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| RICHARD ANTHONY KAMINSKY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 4:07-CV-1213 (JCH) |
| |) | |
| STATE OF MISSOURI, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

The matter is before the Court on its review of the record..On July 24, 2007, Plaintiff filed a Combined Motion for Hearing/Scheduling Conference and Motion for Leave to File Pleadings from Circuit Court of St. Louis County.¹ (Doc. No. 21). The Court will allow Plaintiff to file the state court pleadings. The Court will deny his request, pursuant to Fed. R. Civ. P. 16(b) and 26(f), to schedule a hearing. The Court will issue a Rule 16 order once all of the defendants have entered their appearance. See Fed. R. Civ. P. 16(b).

On July 30, 2007, Plaintiff filed a Motion to Seal that asked the Court to seal this case in its entirety because it contains medical records that Plaintiff considers “sensitive, confidential, and protected by the physician/doctor-patient privilege.”(Doc. No. 27). Generally, the courts of the United States recognize “a general right to inspect and copy public records and documents, including judicial records and documents.” Nixon v. Warner Communications, Inc., 435 U.S. 589, 597 (1978).

¹The Court has learned that Plaintiff refiled this motion on July 30, 2007. The Court reminds Plaintiff that once a motion is filed and pending before the Court, refileing the same motion is unnecessary.

This right, however, is not absolute, and the Court has the discretion to seal court files which might have become a vehicle for improper purposes. See In re Neal, 461 F.3d 1048, 1053 (8th Cir. 2007).

Upon consideration, the Court will not seal the entire case. Sealing the entire case is contrary to the general rule that court documents are matters of public record. As such, the notion that every document, pleading, and exhibit should be sealed is unreasonable. Because the Court has twice explained why it will not seal the entire case, Plaintiff is warned that any further attempts to seal the case in its entirety will be summarily denied. Should Plaintiff wish for a document to be sealed, he should file a motion with the Court explaining why the particular document should be sealed.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Seal Case (Doc. No. 27) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Combined Motion for Hearing/Scheduling Conference and Motion for Leave to File Pleadings from Circuit Court of St. Louis County (Doc. No. 21) is **GRANTED** in part and **DENIED** in part.

Dated this 31st day of July, 2007.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE